

Remarks

I. Applicants' Summary of the Interview.

On 25 February 2009, a telephonic interview was held with the Examiner and a primary Examiner (Examiner Silverman). One of the Applicants, Scott Lautenbach, and Applicants' representatives, Barbara McClung and Gary Fabian, participated in the interview.

In the interview, Mr. Lautenbach and Applicants' representatives discussed the cited prior art with the Examiners and explained why they believe that the cited references do not teach the claimed back-diffusion regulating outlet (having helical flow path formed between the surface of the back-diffusion regulating outlet and the interior surface of the reservoir) and do not teach the claimed water-swellable semipermeable plug (received in sealing relationship with the interior surface of the reservoir). The cited prior art was the reference of Laby, et al., U.S. Patent No. 4,623,330, the reference of Portner, et al., U.S. Patent No. 4,360,019, the reference of Magruder, et al., U.S. Patent No. 5,238,687, and the reference of Mia, U.S. Patent No. 5,519,002.

At the close of the interview, Applicants' representatives suggested that a new amended claim set be submitted for further consideration by the Examiner before issuance of the next Office action. The Examiners agreed that a new amended claim set could be submitted within 10 days. Applicants' representatives agreed to submit the new amended claim on or before 6 March 2008.

After review of the granted claims in the U.S. Patents that have already granted in the family of applications that includes the present application, Applicants have reduced the number of pending independent claims and further clarified the language of the remaining claims in order to facilitate prosecution of the present application.

Applicants thank the Examiners for their time and careful attention to the the information that was discussed during the course of the interview.

II. Conclusion.

Applicants respectfully submit that the claims comply with the requirements of 35 U.S.C. §112 and define an invention that is patentable over the art. Accordingly, a Notice of Allowance is believed in order and is respectfully requested.

Please direct all further communications in this application to:

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If the Examiner notes any further matters that the Examiner believes may be expedited by a telephone interview, the Examiner is requested to contact the undersigned at (650) 780-9030.

Respectfully submitted,

Date: 5 March 2009

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